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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES,

Plaintiff,

vs.

AUTO CITY 76; R.A.T. OIL, INC., a California  
corporation; and CANADIAN AMERICAN OIL  
COMPANY, a California corporation

Defendants.

CASE NO. CV-10-3932-EMC

STIPULATION AND ~~[PROPOSED]~~  
ORDER RE DEFENDANTS' NOTICE OF  
MOTION TO DISMISS PLAINTIFF'S  
FIRST AMENDED COMPLAINT FOR  
INJUNCTIVE RELIEF

Date: January 2, 2014  
Time: 1:30 p.m.  
Judge: Honorable Edward M. Chen  
Location: 450 Golden Gate Avenue  
San Francisco, California  
Courtroom: C, 15<sup>th</sup> Floor  
Complaint filed: September 1, 2010

WHEREAS, on November 12, 2013, the Court issued its "Stipulation and Order on  
Equitable Issue at Auto City 76" ("Stipulation and Order"), as Document 68, which stated:

"Pursuant to the parties stipulation, IT IS SO ORDERED, that the  
Equitable Settlement Agreement and Release signed July 18, 2012,  
resolves all claims for equitable/injunctive relief in the First Amended  
Complaint, including the visits in June 2013, relative to all defendants  
in the above-captioned case."

1 WHEREAS, on November 26, 2013, Defendants AUTO CITY 76, R.A.T. OIL, INC., a  
2 California corporation, and CANADIAN AMERICAN OIL COMPANY (hereinafter "Auto  
3 City") filed and served Defendants' Notice of Motion and Motion to Dismiss Plaintiff's First  
4 Amended Complaint for Injunctive Relief.

5 The parties, by and through their respective counsel, hereby stipulate, based upon the  
6 Stipulation and Order, that all claims for equitable/injunctive relief in the First Amended  
7 Complaint be dismissed with prejudice.

8 IT IS SO STIPULATED.

9 DATED: November 29, 2013.

THOMAS E. FRANKOVICH,  
*A Professional Law Corporation*

11 By /s/ Thomas E. Frankovich  
12 Thomas E. Frankovich  
13 Attorney for Plaintiff, Craig Yates, an individual

14 DATED: November 27, 2013.

LAW OFFICES OF JAMES M. DOMBROSKI

16 By [Signature]  
17 James M. Dombroski  
18 Attorney for Defendants Auto City 76, R.A.T.  
19 Oil, Inc., a California corporation, and Canadian  
20 American Oil Company, a California corporation

21 **ORDER**

22 Pursuant to the parties' stipulation, **IT IS SO ORDERED** that all claims for  
23 equitable/injunctive relief in the First Amended Complaint are dismissed with prejudice. 1/2/14

24 DATED: 12/4, 2013.

hearing is  
vacated.

